

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 21, 1979
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

Reverend J.L. Houston, Simpson United Methodist Church, gave the
Invocation.

CONSUMER CO-OP WEEK

Mayor McClellan read a proclamation designating the week of June
18-24, 1979 as Consumer Co-op Week. Suzanne Kelly, member of the Austin's
Consumer Co-op group, accepted the proclamation with her thanks.

TEXAS POSTAL WORKERS DAYS

Carol Hartsfield accepted with her thanks, on behalf of the Austin
Texas Local Office of Postal Workers Union, a proclamation read by Mayor
McClellan designating June 28-30, 1979 as Texas Postal Workers Day.

RAISIN IN THE SUN

Ms. Linda McGowan, Afro American Players, appeared before Council to
invite them to attend "Raisins in the Sun" at the Paramount Theater. She
presented a box of raisens and love from the players to Mayor and Councilmembers.

BOARDS AND COMMISSIONS APPOINTMENTS

Councilmember Himmelblau moved that the Council make the following Board and Commission appointments:

Citizen's Board of Natural Resources & Environmental Quality

James Williams term to expire 7/1/81

Elisabet Ney Museum

Timothy Stevens to draw for terms
Gini Terpening

Wrecker Standards Commission

Robert Morris to draw for terms
John Farland

Building Standards Commission

Craig Clark - reappointment
Steve Brown - reappointment
James Rock - reappointment terms to expire 6/1/81
Andrew Castillo
John Roman

Medical Assistance Advisory Council

Louis Garcia
Dianne Granstrom terms unknown
Charles Caldwell

Parks & Recreation Board

Irene Dominquez - reappointment
Lawrence Britton - reappointment
Robert Coffee - reappointment
Terry Bray - reappointment terms to expire 6/1/81
Arthur Shaw - reappointment
Ray Hall - reappointment
Linda Doering

Planning Commission

Mary E. Schechter - reappointment
Sid Jagger - reappointment
Bernard Snyder - reappointment terms to expire 6/1/81
Miguel Guerrero - reappointment
James Vier - reappointment

Commission on the Status of Women

Norene Theieme - reappointment
Nadea Gizelbach - reappointment
Aralyn H. Cepeda - reappointment
Deborah Meisner - reappointment terms to expire 6/1/81
Sebiletso Matabane
Arlene Rosenthal
Adele Freymann

Historic Landmark Commission

Drury B. Alexander - reappointment
Philip Creer - reappointment
Ina Ray Smith - reappointment terms to expire 6/1/81
Eugenia Schoch - reappointment
Ernest Cabe - reappointment

Vending Commission

Lucio Varela (representing Richard Goodman) term to expire 3/1/81
Richard Arriola (representing AFL-CIO) term to expire 3/1/81

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmembers Trevino, Mullen

FUTURE APPOINTMENTS

Mayor McClellan announced the following Boards and Commission appointments will be made June 28, 1979:

On-Going of Goals Assembly Committee - 1
Vending Commission - 2
Community Development Commission - 1 to represent a public official and 3 from private sector groups.

EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for sanitary sewer easements for the Upper Walnut Creek Wastewater Improvements Project:

N. 25' of Lot of North Oaks. (D.L. Nieneker, et ux, owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Councilmember Mullen moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for the widening and improvements of Banister Lane:

1,674 sq. ft. of land out of Lot 6, Winnie Brooks Addition.
(Ruth Mae Berdine, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution acquiring certain land for the Waller Creek Greenbelt Project, CAPITAL IMPROVEMENTS PROGRAM No. 75/86-44:

3,771 sq. ft. of land out of the E. 40' of Lot 3, Block 89,
Original City of Austin (Paul O. Simms Estate)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

Councilmember Mullen moved that the Council adopt a resolution acquiring certain land for the Waller Creek Greenbelt Project, CAPITAL IMPROVEMENTS PROGRAM No. 75/86-44:

700 sq. ft. of land out of lot 7, Block 62 of the Original City of Austin (Mary D. Ogden)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

LEASED SPACE FOR AUSTIN POLICE

Councilmember Mullen moved that the Council adopt a resolution to lease space in the Twin Towers Office Building for Austin Police Department. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

LAND ACQUISITION

Councilmember Mullen moved that the Council adopt a resolution to acquire certain land for the East Riverside Drive Project. (I.H. 35 to Summit Street) CAPITAL IMPROVEMENTS PROGRAM No. 73/62-03. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing the following easement:

Two (2) seven and one-half (7.50') foot Public Utility Easements out of Lots one and two, Timberline III-B. (Requested by George Sanders, Metcalfe Engineering Company, Inc., for the owner of Jagger Associates, Inc.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution authorizing the following easement:

Four (4) Easements retained in the vacated portion of Highland Oaks Trail between Arabian Trail and U.S. Highway 183. (Requested by Mr. Sam Payne, representing Land and Leases, Inc.)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution authorizing the following easement:

A five (5.00') foot Public Utility Easement adjacent to the rear property line of Lot 71 and a portion of Lot 72, Marlton Place Section 2, locally known as 1013 Norwalk Lane.
(Requested by Mr. Lewis H. Slusser)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

LICENSE AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution to approve a correction to a Licence Agreement issued in 1974 to eliminate reference to Lots 2 and 3, Block 5, Allandale Estates, Section Two and substitute therefore, Lots 3 and 4, Block 5, Allandale Estates, Section Two. (Requested by C. W. Hetherly, owner) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution to enter into an agreement with the State Department of Highways and Public Transportation for the construction of South 1st Street from Ramble Lane to the South City Limits and authorize payment to the State for the city's portion estimated at \$660,400.00 (Total cost of project \$1,980,965.00) CAPITAL IMPROVEMENTS PROGRAM NO. 73/62-25. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

FAULKNER CONSTRUCTION COMPANY
P.O. Box 722
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Wading Pool
Facilities, Rickey Guerrero &
Odom Parks and Diving Well &
Filter Improvements at Gillis
Park Pool - \$331,000.00 C.I.P. Nos.
74/86-04, 74/86-09 & 77/86-24

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

WOODRUFF CONSTRUCTION COMPANY
4301 Woodway
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Electric Building Modifications -
\$36,000.00 C.I.P. No. 73/39-08

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

B & B LAND CLEARING COMPANY, INC.
8011 East Riverside Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Electric Conduit
System for Trailwood Village Two -
\$97,184.00 C.I.P. No. 75/30-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

B.G. BOYD CONSTRUCTION COMPANY
6506 Brownwood Ct.
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Electric Conduit
System and Streetlight Founda-
tions for Mesa Park, Phase Three-
\$43,195.25 C.I.P. No. 75/30-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

LES FERGUSON COMPANY, INC.
307 E. Evergreen
San Antonio, Texas

- Stock Paper, General Services
Division
Item 1 - \$6,500.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract:

FAULKNER CONSTRUCTION COMPANY
P.O. Box 722
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Construction of Ullrich Water
Treatment Plant - High Service
Pumping Station Improvement -
\$3,012,690 C.I.P. No. 76/49-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

CASH SETTLEMENT

Councilmember Mullen moved that the Council adopt a resolution to authorize the following cash settlement:

MORRISON-MOORE PROPERTIES, INC.

- In lieu of a five year approach
main contract for Dittmarville
Subdivision Wastewater Approach
Main - \$2,478.02

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan

Noes: None

EASTERN AIR LINES

Councilmember Mullen moved that the Council adopt a resolution to consider leasing 1500 square feet of ramp area adjacent to gate 5 to Eastern Air Lines for the purpose of constructing gate holding area and operations space. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan

Noes: None

HURST CREEK MUNICIPAL UTILITY DISTRICT

Councilmember Mullen moved that the Council adopt a resolution to grant the consent of the city to the creation of the Hurst Creek Municipal Utility District. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan

Noes: None

CSA GUIDELINES

Councilmember Mullen moved that the Council adopt a resolution to grant authorization to implement the 1979 Community Service Administration Income Guidelines for the Medical Assistance Program and Administrative Authority to allow automatic implementation of the CSA Guidelines as they become effective. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan

Noes: None

SUMMER YOUTH EMPLOYMENT CONTRACT

Councilmember Mullen moved that the Council adopt a resolution to authorize negotiation of a Comprehensive Employment Training Act (CETA) Title IV, Summer Youth Employment Contract with Williamson-Burnet County Opportunity, Inc., in the amount of \$359,575 to provide employment services to 385 economically disadvantaged youth from January 1, 1979 to September 30, 1979. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

COUNSEL RETAINED - STP PROJECT

Councilmember Mullen moved that the Council adopt a resolution to retain local counsel in Fayette, Colorado and Wharton Counties to represent the city in connection with the acquisition of South Texas Project Electric Transmission Line Easements. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Mayor Pro Tem Cooke asked if the fees would be paid from the Electric Department. Mr. R.L. Hancock, Director, Electric Utility, said the fees would come from the fund appropriated for the South Texas line.

METROPOLITAN AUSTIN CRIMINAL JUSTICE PLANNING UNIT

Councilmember Mullen moved that the Council adopt a resolution to authorize the City of Austin to continue joint participation with Travis County in the Metropolitan Criminal Justice Planning Unit. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

ITEM PULLED FROM AGENDA

Councilmember Mullen moved that the Council pull the following item from the agenda:

Consider authorization to contract with the Clarksville Community Development Corporation to administer the "Clarksville Rent House Repair Program", funded in the amount of \$17,500 from the Fourth Year Community Development Block Grant.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan
Noes: None

ITEM PULLED FROM COUNCIL

Councilmember Mullen moved that the Council pull the following item from the agenda:

Consider setting a public hearing on the Urban Renewal Plan for the Downtown Redevelopment District.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

PUBLIC HEARING SET - SHADYHOLLOW AMENDMENT

Councilmember Mullen moved that the Council adopt a resolution to set a public hearing on Shadyhollow Amendment to Area VI of the Comprehensive Plan for June 28, 1979 at 11:00 A.M. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

WILLIE NELSON PICNIC TO POST BOND

Councilmember Mullen moved that the Council adopt a resolution to ask the County Commissioner's Court to require the Willie Nelson 4th of July Picnic to post a bond for the protection of Brackenridge Hospital to cover unpaid bills incurred as a result of cases brought in from the picnic. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

Councilmember Himmelblau asked that the resolution be sent to the Commissioner's Court on June 22, 1979.

NO-CHARGE FOR REFUSE AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 28-18 OF THE CODE OF THE CITY OF AUSTIN, 1967, AS AMENDED, BY DELETING THE LAST PARAGRAPH OF SAID SECTION, ELIMINATING CERTAIN FREE SERVICE ON SATURDAYS AT CITY SANITARY LANDFILLS; RATIFYING AND CONFIRMING ACTS OF CITY OFFICERS AND EMPLOYEES RELATING THERETO; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

TAXICAB FRANCHISE ORDINANCE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING ROY'S TAXI, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the second time, and Councilmember Himmelblau moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been passed through its second reading only.

TAXICAB FRANCHISE ORDINANCE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING AIRLINE CAB COMPANY A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the second time, and Councilmember Himmelblau moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been passed through its second reading only.

TAXICAB FRANCHISE ORDINANCE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING HARLEM CAB COMPANY, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the second time, and Councilmember Himmelblau moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been passed through its second reading only.

TAXICAB FRANCHISE ORDINANCE

Mayor McClellan brought up the following ordinance for its second reading:

AN ORDINANCE GRANTING YELLOW-CHECKER CAB COMPANY, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the second time, and Councilmember Himmelblau moved that the ordinance be passed to its third reading. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been passed through its second reading only.

MAYFIELD PARK NATURE TRAIL

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1978-1979, BY ACCEPTING AND APPROPRIATING \$12,480.00 FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS FOR THE PURPOSE OF FUNDING A SUMMER YOUTH CONSERVATION CORPS PROJECT; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 17.777 ACRE TRACT OF LAND, SAVE AND EXCEPT A 100 FOOT STRIP OF LAND AT THE REAR OF SAID TRACT, SAID LAND SET OUT IN TRACT 2 BELOW, AND A 100 FOOT STRIP OF LAND AROUND THE REMAINING PERIMETER OF SAID TRACT, SAID LAND SET OUT IN TRACT 3 BELOW, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT; AND,
TRACT 2: A 100 FOOT STRIP OF LAND AT THE REAR OF THE 17.777 ACRE TRACT OF LAND DESCRIBED IN TRACT 1 ABOVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 3: A 100 FOOT STRIP OF LAND AROUND THE REMAINING PERIMETER OF THE 17.777 ACRE TRACT DESCRIBED IN TRACT 1 ABOVE, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS THE 7000 BLOCK OF BEN WHITE BOULEVARD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Travis 51, LTD. C14-79-074)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None
Abstain: Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.625 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7608-7612 BRODIE LANE; FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Walter Eskew, C14-79-076)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan announced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOTS 7-34, BLOCK 35, HYDE PARK SUBDIVISION, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2: LOTS 1-6, BLOCK 35, HYDE PARK SUBDIVISION, FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 3: LOTS 18-28, BLOCK 34, HYDE PARK SUBDIVISION, FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 3901-3925 SPEEDWAY, 3900-3912 AVENUE F, AND 3900-3912 SPEEDWAY; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Hyde Park Baptist Church, C14-79-002)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan announced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 3.23 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.46 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS THE 5800 BLOCK OF BALCONES DRIVE; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (George W. Allen, C14-78-197)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke

Noes: None

Abstain: Councilmembers Mullen, Goodman

The Mayor announced that the ordinance had been finally passed.

BOAT RACES ON LAKE AUSTIN

Mayor McClellan opened the public hearing scheduled for 6:30 p.m. to consider a request for boat races on Lake Austin.

John L. Ehrler, Director, Parks and Recreation Department, presented an overview of the situation as it related to the test runs conducted on June 19, 1979. After review by various City Departments and others, it was felt that any obstacles could be overcome and that the races should be held. He recommended that the following conditions be placed on the boat races by the Council:

1. Motors on boats should not be worked on or run after dark.
2. Boat race traffic should have access to the boat race site from City Park Road only and not be permitted through the neighborhood.
3. Starting times (no engine start-up prior to):

Saturday - 10:00 A.M.

Sunday - 1:00 P.M.

Mr. Ehrler did express some concern over accessibility to City Park, both by the park road and by water. Parking and restroom facilities could be worked out.

Richard E. Boner, representing Boner Associates, reviewed the acoustical measurements of boat noise during the test runs. He stated that the races would create noise levels in nearby residential areas which were louder than normal. If the races were held frequently, the noise would be unacceptable for nearby residential areas. Whether the noise would be disturbing if races were held infrequently could not be determined without a survey of area residents.

In response to questions from Councilwomen Himmelblau and Mayor McClellan, Tom Echols, representing AquaFest, stated that Transportation Enterprises had planned to use busses for transporting people to the site. A standby wrecker would be available in case of a bus breakdown.

Regarding Mayor Pro Tem Cooke's question about towing of the boats, Mr. Ehrler stated that conditions at City Park were similar to conditions at Festival Beach, except that at Festival Beach the road was further back from the water. The idea of using a ski boat to tow the boats to the site had been abandoned.

There was discussion regarding sealing off the area to other boat traffic. Mayor Pro Tem Cooke stated that he opposed letting people come to the race by boat.

Councilwoman Himmelblau asked that the City recoup its expenses for the race and that AquaFest put up a performance bond to defray any bad debt incurred by EMS or Brackenridge Hospital.

Mayor McClellan's concern was the access to the site and the safety of the spectators and the drivers.

TOM ECHOLS, representing AquaFest, noted that the test runs were a success. The boats ran well and the speeds were comfortable. He stated that a successful and safe race can be run thru the combined cooperation of the AquaFest, the City of Austin, the Travis County Sheriff's Department and the Department of Public Safety and requested that a race be approved for August 11 and August 12.

Councilmember Himmelblau inquired as to whether there is any means whereby costs incurred by the City will be defrayed.

Mr. Echols replied that the cost for City Firemen and Policemen could not be defrayed; but, he noted that the estimated figures for clean-up expenses could be defrayed by using AquaFest volunteers, rather than City employees.

Councilmember Goodman demonstrated the litter problem at City Park by showing a number of items which he had gathered from one two-foot area. He further stated that "we will compound the problem and if we don't have a comprehensive plan for not only trash pick-up, but for transportation and safety, then we're doing a very unwise thing."

Mayor McClellan stated that she missed the trial run and inquired as to how many people ran in the trails. There were eight. She further stated that her number one concern is City Park safety. The Mayor noted that last year when the races were cancelled on Town Lake the boat people had a negative response to the possibility of having races at City Park. The Mayor quoted the news media that "a number of the drivers expressed concern about the spectators, not about the ones in the boats, but about the spectators." She remarked that it remains a concern in her mind, especially when she looked the site over.

Mr. Echols acknowledged that there is always some danger, but he feels that City Park is as safe as any location. To the Mayor's inquiry, Mr. Echols further acknowledged that there is no way of knowing whether LCRA will have the flood gates open or shut August 11 and whether it is actually possible to run the races on that date.

Councilmember Himmelblau asked Mr. Echols to speak to the issue of a performance bond which she had mentioned earlier. He said, if need be, the AquaFest will carry the bond.

Mr. Echols replied to the Mayor's inquiry about a helicopter that one would be provided at Festival expense.

Mayor McClellan inquired as to what the races would net and if the AquaFest could estimate how many people would be attending.

Mr. Echols replied that there is no way to know how many people would go. He said that it is impossible to net as much as last year, but there are two reasons that they still want to have the races: (1) it is an Austin Aqua Festival, not a LandFest and, (2) it is a major water event, giving Austin national recognition. He said that one comment is that if the races attract 2,000 people they would break even. He said that they hope to make money in this, the trial year.

ART KELLER, Executive Director of the AquaFest, said "the purpose of the Festival is not to make money." He said he could care less if we have the boat races, or don't. He said that last year they netted \$35,000; but he expects to lose money this year, as well as next year; however, it doesn't matter, if it is a good event. He said that they could afford to lose some money, if it is a safe event that people enjoy.

The Mayor inquired of Mr. Echols if the AquaFest wants to make the boat races a national event. Mr. Echols replied no. The Mayor noted that there seem to be mixed emotions concerning the National, as some want to have the races as a National event and some do not. She further noted that the Council had been told in the past that Town Lake was the only place in Texas where the Nationals could be held. Now, the Council is being told that the Nationals will be held in Waco this year.

Mr. Echols, speaking for the Festival, said that in the first discussions more than one boat race in City Park was considered; however, City Park was booked thru August 4th and only one race was feasible. He acknowledged that an earlier test run at City Park was not successful.

Mayor McClellan recognized Curtis Raymond, President of the Austin Boat Club, who said that John Anum's boat had a bent rudder during the trial run last year, according to two men who were with the boat.

Danny Stone, Past President of the Austin Boat Club, was present during last year's trial run. He noted that during the run the flood gates were open. There were 3,000 gallons per minute coming through the flood gates that day; it caused some currents and a severe moss problem around the ramp. Moss was on the rudders. It is not known when the rudder was bent - from the moss or when launching the boat. At that time, the problems were discussed and it was decided that the area was not feasible for a National event.

Councilmember Goodman stated that he and the Mayor were very concerned that AquaFest have boat races, even though they were denied at Town Lake. They requested a report from the boat club after the trial run last year and were not told about the flood gates or the bent rudder. They were told that Lake Austin was not good for the boat races.

Mr. Stone noted that John Anum was an avid believer in boat races at Town Lake. He supported Town Lake races and felt that Lake Austin was not a suitable place for the quality of races desired to be run.

Councilmember Goodman inquired as to why the Council was not advised of the flood gate conditions and the bent rudder a year ago, rather than now. He said that it appears those conditions are being used as an excuse now.

The Mayor asked whether there is still a moss problem. Danny Reed acknowledged that there is still a problem and that the moss would have to be cleaned up. The Mayor said that is why the Council requested a report on the conditions and feasibility of having the races at Lake Austin. If the Council had been given a full report of the condition, they could have been considered during the CIP and bond discussions.

Art Keller said that he wished to take exception to Councilmember Goodman's statement. He said that the people from AquaFest did not know anything about the flood gates or bent rudder until now.

Mayor McClellan said that there is a great deal of confusion and frustration concerning the boat races and there are so many conflicting views and comments about every part of it. She said, "The frustration, I don't think is certainly not generated, Art, at the Aqua Festival because I want to reiterate how strongly we all feel and how proud we are of the Austin Aqua Festival. It is because of that pride that we feel in the Austin Aqua Festival, you know, summer fun for everyone, we want...you know, because of that we want quality events...It is a frustrating thing when from week to week and month to month you are told absolutes, not possibilities, you're given absolutes... No, we can't do this - never and then right on the heels of it different things come in; so that's the frustration and hope you understand that."

Mr. Echols said that the AquaFest would like their race - one race. He could not speak for the Austin Boat Club.

Councilman Goodman summarized his position on the proposed races by saying that what was bad for East Austin was bad for West Austin.

CURTIS RAYMOND stated that the Boat Club would ask for one or possibly two races depending on how AquaFest came out on their race.

DANNY STONE, speaking in regard to last year's test on Lake Austin, said that it never was a case of whether two boats could go from one end of the course to the other. The bent rudder and moss problems were a small part of the overall study which was made.

CHRISTOPHER MIDDLETON, a resident of the River Hills community, spoke in opposition to the boat races at City Park. He enumerated the following reasons for his opposition:

1. Races would attract a maximum of 10,000 spectators.
2. City Park's maximum capacity is 2,000 people.
3. City Park road is not designed for 5,000 cars per day on any day. If 5,000 people came by bus at 50 people per bus, then 200 trips to and from the races, plus 2,500 car trips with 4 people/car.
4. On the opposite side of the lake from City Park where River Hills Road ran, the only public facilities were the Pier and Anchors

Aweigh. Those facilities were at the end of a rough and steeply sloping road with combined parking spaces for about 100 cars, 400 people at 4 per car. Spectators would be crowding that area to avoid paying to see the races and to avoid the crowded conditions in City Park.

5. Roads serving both sides of the lake were little more than country lanes, barely passable by two cars at a time.
6. Emergency vehicles would not be able to get to the River Hills area due to road congestion.
7. Areas on both sides of the lake were covered by underbrush and trees and were especially prone to fires in late July and August. Access by fire trucks was impossible.
8. The proposed event would attract novice weekend racers to the area.
9. The City Park Neighborhood Association did not unanimously support the Aqua Festival boat races proposal.
10. When Aqua Festival authorities alleged in the early stages that there was no opposition to their proposal for races on the west side of the lake they had only contacted 4 property owners and the children of another property owner.
11. The races were dangerous.
12. Spectators chose to expose themselves to bodily injury and property while area residents had no choice.
13. If boat races had not been held in Austin up to now and City Park was the first proposed site, the site in question never would have been selected.
14. It was not fair to block a portion of Lake Austin even for a short period of time.
15. Noise level was not acceptable.

Mike Mitchell, President, Austin Aqua Festival, asked that a decision be made tonight on the boat races.

Motion

Mayor Pro Tem Cooke moved that the Council close the public hearing and authorize one race to be held on August 11th and 12th with the following provisions:

1. Motors on boats should not be worked on or run after dark.
2. Boat race traffic should have access to the boat race site from City Park Road only and not be permitted through the neighborhood.
3. Starting times (no engine start-up prior to):

Saturday - 10:00 A.M.

Sunday - 1:00 P.M.

4. City Manager to work out appropriate fees to be paid by Aqua Festival.
5. Cleanup arrangement to be monitored by City.

The motion was seconded by Councilman Mullen.

Friendly Amendment - Accepted

Councilwoman Himmelblau offered a friendly amendment that Aqua Festival put up a performance bond to defray any bad debts incurred by EMS or Brackenridge Hospital. Mayor Pro Tem Cooke accepted the amendment.

Councilwoman Himmelblau stated that if the one race was authorized, she did not want to see other weekends of racing next year, particularly because of the use of City Park and the loss of revenue to the City.

Roll Call on Motion - Failed

Roll Call on the motion showed the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor Pro Tem Cooke

Noes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Goodman

Statement by Mayor McClellan

"I keep going back to the thread that runs throughout--those who ran races, those who have looked at it, that there is at least some conflicting opinion and some concern about getting people in and out, with accidents, about spectators' safety still looms number one in my mind. I think there are massive things. Even if that weren't the concern, the massive plans that need to be made, busses, transportation, can the busses make it, can't they, where are you going to park, you can park 1,800 to 2,000 cars, you can maybe put 8,000 people standing right on water's lake, but how do you get them in there? You've got neighborhood concerns that we've heard in other areas of town about noise, etc. For what purpose? I appreciate what you said, Art, and I really do. Art's a good friend, but I come back to what you said and what Tom said. You want something that's recognized as a water festival event. You want something that's a good event, a safe event, doesn't hurt other people. I have real concerns in my mind and I have tried to work, and I don't ever state absolutes, because I will continue to try to work with Aqua Festival on some meaningful events in a timely, well-planned manner. And it's not with any animosity whatsoever that I cast my vote this evening, but it's with a great deal of concern and tremendous amount of feeling of responsibility. And as Mayor, that's something that you cannot shirk is that feeling of responsibility. Safety is my number one concern. Those others are factors. Boat racing is a big event. It's a big event. Boat racing is a big event and there is responsibility for thousands, thousands of people. And there is responsibility for our park land and its proper care and protection and certainly neighborhoods. They represent the kinds of concerns that as Mayor I cannot take lightly. It's a long distance out there and I've had a very uncomfortable feeling about our ability to respond in such short notice on this request. I have that same uncomfortable feeling this evening. I think there're all sorts of plans from helicopters to what-have-you that have been talked about, but they're really not planned out and it's

June 21st and you're not talking about a picnic for 1,000 people, you're talking about boat races and 5 to 8 to 10,000 people. And to carry out our responsibility, so again, I will not state absolutes, but I will not support racing at this place at this event for 1979 because of those concerns and because of the time constraint and so I vote "No".

Statement by Mayor Pro Tem Cooke

"Well, I don't think that I'm shirking my responsibilities in voting Yes because I feel like that we have looked at this and I feel like that in order to allow a situation like this to develop and also to allow the planning and full implementation to go on on a trial situation that we should give it a chance and I vote Yes and feel like we have looked at it and we've looked at it hard and I think that we could have had a successful event."

Statement by Councilman Goodman

"I think that a lot of my opinions have already been expressed, but a whole bunch of them haven't been. And that is approximately a year ago when the Mayor and I were trying to accommodate the boat race club and the Aqua Festival people that was our sincere interest. The Mayor favored at that time trying out City Park. I favored Decker Lake, now called Lake Long, everybody still calls it Decker Lake. At any rate, the thing is that we are still interested in the boat races. The reason that I favored Decker Lake over City Park and Lake Austin is because Lake Austin involves the same problems that we had on Town Lake and that's in an area that is residentially dense, bugs homeowners it's in heavy use and so forth. There is perhaps, a perfect site and I'll catch heat in my own neighborhood for it because this is northeast Austin that we're talking about. You all ought to further explore this. This time let's come in the front door, not the back door, and let's talk about the northwest slough of Long Lake, I'll call it by its real name. It's a real possibility. Residences are at least a half a mile away. I think the problems of traffic that my northeast Austin neighbors are concerned about can be handled. Long Lake ought to be fully developed, and if you'll recall at that time, speaking only for myself, Phil, I made a commitment to work for CIP improvements for a, whatever you call it, bleachers, for restroom facilities, for the works. And I was for championship races, for the full blown championship races to be held here in Austin. But, we weren't told the full truth at that time, we're not being told the full truth tonight. There are unanswered questions. I'm still open to the boat races, not on City Park, never on Town Lake, but perhaps on Lake Long, and my vote is "No."

Mayor McClellan stated that the motion did not pass.

RECESS

Council recessed its meeting at 8:25 P.M. and resumed at 8:35 P.M.

TRAFFIC PROBLEMS ON PUTMAN

MR. RICHARD WOODWARD and others appeared before Council representing Citizens to Preserve Residential Putman & Surrounding Area, to discuss problems in this area. Mr. Woodward asked Council to close off the north end of Putman. There are apartments at the end of the street and it is becoming more and more unsafe, traffic-wise, for the neighborhood. Mrs. Woodward also appeared and said there apparently have been some studies made by the city but the neighborhood wants something done. She is particularly concerned about the safety of the children.

Mr. Joe Ternus, Director of Urban Transportation, told Council his department has taken traffic counts and is looking into restrictions. They have not yet determined the legalities. He said his report would be sent to Council within the next two or three weeks. Mayor McClellan asked Mr. Ternus to give his report to Council and residents, then they can reschedule this item for discussion. Petition with 200 signatures filed.

MR. JAMES DUGGAN, 1785 Ohlen Road, told Council that neighborhood has become a speedway.

FOURTH OF JULY FIREWORKS SHOW

MR. GEORGE W. MATCEK, representing the Austin Jaycees, appeared before Council to discuss the Fourth of July Fireworks Show and asked Council to waive the fees.

Motion

Councilmember Himmelblau moved that the Council approve the Austin Jaycees request for the Fourth of July Fireworks Show, including payment of insurance, but denied the waiver of fees. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

CITIZEN AGAINST STNP BOND SALE

MR. TONY SWITZER, Texas Mobilization for Survival, appeared before Council and requested they delay the planned sale of Electric Utility Bonds for STNP scheduled for July 12, 1979. Mayor McClellan informed him the July 12 date has been cancelled. She said the bond sale will probably be sometime in August. Mr. Switzer read a statement.

ANNEXATION TO WILLIAMSON COUNTY MUD

MR. ELBERT HOOPER, appearing for Mr. Wayne R. Schade, president, Board of Directors, requested Council's consent for annexation of 83 acres to Williamson County Municipal District No. One. He said this relates to a petition submitted to the city for annexation of an 83 acre tract to the district. He said the area fronts on U.S. Highway 183 and fills out a hole in the district because it is surrounded on three sides by the district and on the fourth side by U.S. Highway 183. He said the district feels it is feasible and cost efficient to make the annexation to the district. The area includes a site for a high school which would be constructed by Round Rock Independent School District. It would occupy about 20 acres out of the 83 acre tract. The rest would be primarily commercial property and some small amount of residential property. A church site is also in the tract.

Councilmember Himmelblau stated; "Mr. Hooper, when your last annexation came in this was held back until we had a MUD policy and of course we still don't have one, but what action can we take under Citizen's Communications?" Mr. Davidson, City Manager, said he thought this area should, in some fashion, be annexed to the district but he needs about two weeks in order to bring back some recommended version to be reviewed and finally considered by Council. It was decided to bring this back on July 5, 1979 Agenda.

PARADE PERMITS

Mayor Pro Tem Cooke moved that the Council approve a parade permit request from Mr. Kermit E. Voelkel, for Allandale Neighborhood Group Association (July 4th Neighborhood Parade), from 9:30 a.m. to 11:30 a.m., Wednesday, July 4, 1979, beginning from Intersection of Bullard & Treadwell, south to Northland (2222). The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

Mayor Pro Tem Cooke moved that the Council approve a parade permit request from Mr. Sam Griswold for Delwood II N/Association, from 9:30 a.m. to 10:30 a.m., Wednesday, July 4, 1979, beginning from corner of Elwood Road & Brentwood Road to Norwood, east to Parkwood, south to Bentwood, east on Bentwood to Rowood to Fairwood, west to Elwood Road. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

BEER & WINE LICENSE

Councilmember Himmelblau moved that the Council approve the request of Mr. Marcus Z. Barron Jr. for sale of beer and wine (off-premise license) at 1613 East 5th Street, within 300 feet of the Church of God The First Born. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 7:00 P.M. Pursuant to published notice thereof, the following zonings were publicly heard:

NORTHWOOD DEVELOPMENT CORPORATION	3100-3116 Oak Creek Drive, also bounded by Farm Road 1423	From Interim "AA" Residence 1st Height and Area To "A" Residence and "GR" 1st Height and Area and General Retail
By Phil Mockford (Tract 1) C14-78-147		RECOMMENDED by the Planning Commission

Mr. Lillie reviewed the application by use of slides. Mr. Phil Mockford, representing the applicant, said half of Tract 2 had been zoned to A residential type zoning and so presently under consideration is the balance of Tract 2. He said, "The staff has now changed its recommendation it made for Tract 1 to zone it GR. That recommendation was unanimously approved by the Planning Commission and the sole reason which had been given for that is an application of 183 standards to this tract. It is the contention of the applicant that 183 standards have no application to this tract. The Planning Commission is principally concerned about access onto 183 therefore they have imposed the driveway cuts, the 200' width between the driveway cuts and the set-back and dedication of additional 50' for ultimate widening of 183." He said he felt the highway study is unrelated to this and should not be applied.

Mr. Gordon Davis, representing Nash-Phillips-Copus, stated there is a flood plain problem there and the traffic lends itself to "GR" rather than "O".

MS. SUSAN RENNER, who lives 200' from the tract stated she did not receive notice of the hearing, and indicated several of her neighbors had not received notice either. When this was brought to the attention of the Council, they made the following motion:

Motion

Councilmember Goodman moved that the Council continue the public hearing on July 19, 1979 at 9:30 A.M. and instructed that the entire neighborhood, 300' of Tracts 1 and 2 and the Association outside the city limits, be notified. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

JOHN H. GRIGGS
C14-78-093

2100 Payne, also bounded
by Laird St.

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the
Planning Commission

Mr. Lillie reviewed the application. He said there is a valid petition against the zoning change and reminded Council it had already heard this case but had postponed it previously due to the pending recommendation of a home occupation ordinance.

Mayor McClellan asked if the applicant was present. No one appeared to be heard.

Motion

Councilmember Goodman moved that the Council uphold the recommendation of the Planning Commission and deny the zoning change. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino

Noes: None

Councilmember Himmelblau stated there had been problems for years at this location with zoning and wondered if there is any way it can be cleaned up. Mr. Lillie said Mr. Davis, Director of Building Inspection, will enforce the zoning regulations.

MRS. E.T. DODSON, who lives in the neighborhood, appeared before Council to ask if the Special Permit granted to Mr. Griggs will be taken off. Mr. Albert DeLaRosa, Assistant City Attorney, explained the action to deny the zoning case invalidated the Special Permit.

Mayor McClellan announced Council would hear zoning cases scheduled for 8:00 P.M. Pursuant to published notice thereof, the following zonings were publicly heard:

TOM BRADFIELD &
DONALD H. CUMMINS
By Bryant-Curington, Inc.
(Tract 9 only)
C14-78-105

2099 to 1101 Loop 1
(MoPac Blvd.)

From Interim "A" Residence
1st Height and Area
To "BB" Residence District
1st Height and Area
RECOMMENDED by the Plan-
ning Commission, as
amended subject to a
special permit on each
tract at time of subdivi-
sion & a maximum density
of 15 units per acre.

Mr. Lillie reviewed the application by use of slides.

Mr. John Meinrath, representing the applicant, asked that request be granted as requested.

Mayor McClellan questioned how the Barton Creek Watershed study was proceeding. Dr. Maureen McReynolds, Environmental Resource Management Director, told Council the consultant's report will be ready by the end of this month, but there are still several months until the study is adopted. Mr. Meinrath stated his applicant would agree to not submitting a site plan for six months.

MR. NORMAN BROWN, president, Horshshoe Bend Neighborhood Association, addressed Council. (His wife, Mrs. Betty Brown, and Mr. Puckett relinquished their five minutes of time to him.) He requested a moratorium on zoning, particularly on Tract 9.

MS. DOROTHY RICHTER, 3901 Avenue G, showed a bottle of green gloppy goop to the Council. She said she had scooped it from the steps at Barton Springs and expressed her concern over what is happening to the springs. She asked if we have already done too much developing.

PAUL LEWIS, a geologist, appeared before Council, described the springs and asked they be protected.

BILL OLIVER, who lives on East Live Oak, sang a song about Barton Springs.

JACKIE BLOCK expressed concern over the purity of the water and asked for monitoring.

Mr. Meinrath returned and said if six months is not enough time to study the effects of the run-off of Barton Creek proposed regulatory program, they will submit a restriction not to submit any kind of a site plan for a year.

Motion

Councilmember Mullen moved that the Council grant "A" on portion of tract from ravine to creek with a maximum of 10 units per acre; "BB" from ravine to MoPac with a maximum of 15 units per acre and subject to a site plan approved by the Planning Commission and Council subject to water retention on both tracts and subject to a Special Permit on both tracts. The motion was seconded by Councilmember Mullen.

Substitute Motion

Mayor Pro Tem Cooke offered a substitute motion there be no zoning on the tract until after the Barton Creek Watershed Study had been adopted. The motion was seconded by Councilmember Snell.

Roll Call on Substitute Motion - FAILED

Roll Call on substitute motion showed the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor Pro Tem Cooke
Noes: Councilmembers Himmelblau, Mullen, Mayor McClellan, Council-
member Goodman

Roll Call on Motion

Roll Call on original motion showed the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan
Noes: Councilmembers Snell, Trevino, Mayor Pro Tem Cooke

The Mayor announced that the change had been granted to "A" on portion of tract from ravine to creek with a maximum of 10 units per acre, "BB" from ravine to MoPac with a maximum of 15 units per acre, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

At the time of roll call, Mayor McClellan noted, "This case started long ago. Long before any discussion of moratorium and the Planning Commission recommendation on this was 8-0. What we're doing is far more restrictive than what they recommended.What we're doing is certainly going to be protecting that area."

APPEAL ON SPECIAL PERMIT
WM. CANNON DRIVE

Mayor McClellan opened the public hearing scheduled for 8:30 P.M. on an appeal of the decision of the Planning Commission from Mr. Lin Murray, president of Whispering Oaks-Cherry Creek Area Neighborhood Association granting a Special Permit for a 72-unit apartment complex at 2201 William Cannon Drive.

Mr. Lillie reviewed the application.

MR. MURRAY appeared before Council to discuss the density and lack of landscape buffer. He requested the development be restricted to 64 units. He said there are many trees which will offer a natural buffer between the apartments and homes and he asked that the trees not be disturbed.

MR. BILL BROWN, representing the applicant, Charles Becker, said they are in compliance with "BB" zoning according to the ordinance and asked they be allowed to use the property in the manner in which it is zoned. He pointed out a left turn lane will be included, though it is not required. They are complying with neighborhood requests for a turn lane and a fence.

Motion

Councilmember Himmelblau moved that the Council close the public hearing, uphold the recommendation of the Planning Commission, and grant the permit. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

(Planning Commission Recommendations: To approve the special permit subject to departmental requirements and recommendations and adding the turn lane as offered by the applicant if Urban Transportation Department agrees that it should be there; also a six foot privacy fence to be installed.)

Mr. Lillie commented the Planning Department will work with the applicant and preserve the trees.

PUBLIC HEARINGS ON CODE AMENDMENTS

Mayor McClellan opened the public hearings, scheduled for 9:15 P.M. on the following:

Public hearing on amending Chapter 41 of the Austin City Code (Sub-division Ordinance) providing interim standards for development of land within Lake Austin Watershed.)

Public hearing on amending Chapter 29 of the Austin City Code (river, lake and water courses) providing interim requirements for site development permits for the development of land within Lake Austin Watershed.

After a short discussion, Council decided it needed more time for study.

Motion

Councilmember Goodman moved that the Council continue the public hearings on the above Code amendments until July 19, 1979 at 2:00 P.M., with a recommendation from the Planning Commission Sub-Committee; and Environmental Board had option to consult with them. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen

Noes: None

MAURY HOOD, Chairman, Environmental Board, appeared before Council to state they had offered their services to the Planning Commission Subcommittee to meet with them and they elected not to do so. He said they considered the same ordinance as the Planning Commission Subcommittee and made recommendation to them at their public hearing. Rather than have two boards writing two separate ordinances and confusing the issue, the Environmental Board went along with all the housekeeping kind of changes which were being made in the ordinance. He said he is in agreement with the motion.

MEDICAL ASSISTANCE PROGRAM

The Council had before it for consideration the implementation of new dispensing fees for pharmaceutical services for the Medical Assistance Program.

Councilmember Trevino stated the Council discussed and acted upon, some months ago, the pharmaceutical contract. "While the contract hasn't been finalized, I understand the staff is still working and trying to clear up some of the conditions which have been set. The vendor continues to be paid the price the Council agreed to back in 1975."

Motion

Councilmember Trevino moved that the Council authorize the City Manager to negotiate the prescription price with the vendor and to bring back to Council only if the amount exceeds \$5,000.00. The motion was seconded by Councilmember Goodman.

Councilmember Goodman explained the situation. "In November the contract expired. We didn't get around to considering the case until March as to what we were going to do with the drug program, etc. The rate the present vendor is receiving is \$1.95 per prescription. The rate we approved in March is \$2.25 per prescription. The present vendor is still receiving only \$1.95. Mr. Trevino's motion is to instruct the City Manager to assess the situation and act administratively, he can't exceed \$5,000.00." Councilmember Snell asked if the present vendor had agreed to work under the contract until this thing is settled. Councilmember Goodman said yes, and asked the City Manager how long it will take to complete the vendor program approved in March.

Mr. Davidson commented: "I would like to say this delay had not been caused by the staff. The contractor has had some difficulty and has requested some additional time. Initially there was a 90 day request.....how much longer Ms. Edwards?"

Ms. Edwards replied, "TPERF today, when talked, said it would take at least four weeks, approximately six, but not longer than August 1."

Substitute Motion

Councilmember Mullen made a substitute motion to have the City Manager negotiate and come back with the information one week from today; Council will vote after information is available.

Mr. Davidson stated: "I would ask that we not limit to one week. "I'm not sure I can handle that in that time.Let me make a suggestion if the Council desires to go in that direction that tonight the City Council authorize the new rate beginning June 15th and then give us two weeks to work on any recommendation for any previous period that we might think is equitable."

Ms. Edwards said the new rate would be the \$2.25 we've agreed upon in a contract for all the pharmacies per prescription dispensed. Councilmember Goodman said, "Backing it up to June 15th. Then Dan goes back and re-assesses whatever it is the present vendor is entitled to..." Mr. Davidson said, "We want to take a look at that equity and then we'll come back it that's what the Council desires, but I do think it's right to approve it today, effective June 15th."

Friendly Amendment to Substitute Motion

Councilmember Goodman offered a friendly amendment that we pick it up on June 15th at the rate of \$2.25 per prescription.

Second to Substitute Motion with Friendly Amendment

Mayor Pro Tem Cooke seconded the Substitute Motion with the Friendly Amendment.

Motion Withdrawn

Councilmember Trevino withdrew his motion.

Roll Call on Motion

Roll Call on Substitute Motion showed the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

RESIDENTIAL PLUMBING INSPECTOR

Council had before it an ordinance amending Chapter 42, Section A-207 of the Austin City Code, Plumbing Ordinance to provide for the new classification of Residential Plumbing Inspector. Mr. Lonnie Davis, Building Inspector Director, told Council several inspectors have been trained to perform multiple duties. Councilmember Goodman wondered at the wisdom of having electrical work inspected by a plumber.

Mr. Davidson, City Manager, commented, "I want to commend Mr. Davis and his staff and the Plumbing Advisory Board for responding to several goals and objectives adopted by this City Council, having to do with economy and fuel conservation and trying to get more productivity with the people we now have budgeted. Second, Mr. Lonnie Davis, considering his field and the people represented on this board and others, will never recommend something to the City Council they believe to be unsafe or create an unsafe condition. It's really not fair to make an assumption that he would do so."

Motion

Councilmember Goodman moved that the Electrical Board be consulted before Council passes on the ordinance before them. The motion was seconded by Councilmember Snell.

A discussion of cross-training ensued. Mr. Davis explained, "We have taken two heating and air conditioning inspectors, two building inspectors, and two electrical inspectors and instructed them to do plumbing inspection work. We've given them classroom instruction, and field instruction for three months, two hours a morning once a week plus time in the field."

Councilmember Goodman said he thought both the Plumbing and Electrical Boards should be consulted prior to proceeding with multiple inspectors. Councilmember Himmelblau pointed out Council had requested the cross-training.

Walter Timberlake, President Austin AFL-CIO Central Labor Council, and electrician. He said he did not feel it would be good to have one person going around inspecting everything on a house. His opposition is based on the factor of safety for the homeowners because he does not feel they would receive a proper inspection.

Bob Long, Local 286, Plumbers and Pipefitters, appeared before Council to say he thought a multiple inspector would be a jack-of-all-trades-master-of-none situation which would result in cross connections and leaks in the homes.

Mayor Pro Tem Cooke stated he thought the way Mr. Davis and his staff has approached this is entirely correct and he finds no fault with the proposed method.

Mr. Davis pointed out the central idea is not to create journeymen, but to create inspectors.

Mr. Lemoyne Pittman, Secretary-Treasurer, Austin Building Trades and sheet metal worker, said he has been a sheet metal worker for 25 years but would not inspect plumbing or electrical work. He thought Austin needed more inspectors in the city and not cross-training.

After further discussion, the roll call was taken.

Roll Call on Motion

Roll Call on motion showed the following vote:

Ayes: Councilmembers Goodman, Snell, Trevino, Mayor McClellan
Noes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen

ZONING ORDINANCE

Mayor McClellan brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 3,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7000 ED BLUESTEIN BOULEVARD AND 6950 MANOR ROAD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Allied Development Co., C14-79-017)

The ordinance was read the third time, and Councilmember Mullen moved that the ordinance be finally passed. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor Pro Tem Cooke
Noes: Councilmember Snell, Mayor McClellan, Councilmember Goodman

The Mayor announced that the ordinance had been finally passed.

Before the vote was taken, Councilmember Snell stated there are more and more cases coming before them with this type of zoning across from or near schools. He urged those Councilmembers voting for the zoning change to change their vote. Mayor McClellan expressed her agreement with Councilmember Snell's statement.

AD VALOREM TAX ON PERSONAL AUTOMOBILES

Council had before it for consideration an ordinance to maintain the Ad Valorem Tax on personal automobiles for 1979-80. (TRANSCRIPT OF PROCEEDINGS IS ON FILE IN CITY CLERK'S OFFICE.)

Mr. Jack Klitgaard, Tax Assessor-Collector, explained to Council the action of the past session of the Legislature left it up to local option whether we should tax automobiles or not. "It is to the prerogative of the City Council to enact an ordinance if they wish to continue to tax automobiles. This exemption only applies to personal cars and not cars used for production of income such as business vehicles. We estimate it would create a loss of about \$1,200,000 in both General Fund and Debt Service. ...The Department does concur with the City Manager's recommendation that the automobiles remain on the rolls because automobiles are a type of property that creates a considerable amount of expense for the city, and this loss would have to be borne by some other property if the Council did not enact such an ordinance to leave them on the tax roll."

Mayor Pro Tem Cooke referred to a memo from Mr. Davidson and asked for an explanation of the statement about automobiles generating considerable operating and capital expense. Mr. Davidson asked Mr. Daron Butler, Budget Director, to speak to this. Mr. Butler stated: "I took a bottom line conservative approach to try and attribute costs directly related to the automobile. The figure for the Capital Improvements Program for 78-79 is related to the paving program, exclusively and to the installation of traffic signals in the community. There is a direct relationship between those expenses for those activities and the presence of automobiles in the community. On the operating side of the budget those expenses are attributable to the street lighting program, to the maintenance and operation of traffic signals in the community, to that portion of the Police Department's budget which can be legitimately attributed to the traffic control and traffic safety in the community, to the operations of the Public Works Department to maintain and improve the streets, etc."

Councilmember Goodman stated: "I think the main thing here is that the Legislature really shifted the burden to local Councils all across the state to make a tough decision on what's an unpopular tax. In this city, where homeowners and apartment dwellers who pay property taxes indirectly through their rents, will be picking up the tab because we have cut our budget extremely tight and a 1.2-million dollar blow at this particular time could be extremely devastating to the quality of services in Austin."

Motion

Councilmember Goodman moved that the Council adopt an ordinance maintaining the Ad Valorem Tax on personal automobiles for 1979-80. The motion was seconded by Councilmember Himmelblau.

Councilmember Goodman continued, "And for the record, I would like you to state this very strongly Mrs. Monroe. I hate paying that vehicle tax every year, but I know that if I didn't pay it on my tax, on my car, it would be shifted right on my home tax, so to speak. And there is a possibility that at the end of 79-80, because the Legislature caught us by surprise, that we will be able to plan our budget to eliminate that tax, as the Legislature has now authorized us to do. In this particular budget year, it would be extremely difficult to do."

Councilmember Mullen stated, "Let me tell you where I am coming from. I am very much opposed to this tax. I think it is the most unequal tax that we have on the books, and I am glad the Legislature had enough sense to remove it. We have approximately 250,000 vehicles in this city and 125 to 135,000 of them are all that is taxed.....I am very, very much opposed to a tax that doesn't tap everybody that should be paying, and this tax has proven to be one of the most unequal taxes that this city has ever seen, and I hope the City Council votes against it."

At this point there was an exchange of harsh words between Councilmember Mullen and Councilmember Goodman.

Call for the Question

Councilmember Goodman called for the question. The vote was as follows:

Ayes: Councilmembers Goodman, Snell, Trevino

Noes: Councilmember Mullen, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Himmelblau

Discussion continued.

Substitute Motion

Mayor Pro Tem Cooke made a substitute motion, seconded by Councilmember Mullen, to discontinue the Ad Valorem Tax on personal automobiles for 1979-80.

Jerry Nugent, Austin School Board, appeared before Council. He stated he was not speaking for the School Board. He said, "If you do not enact this tax you are going to lose revenue. We are going to lose revenue if we don't do it. We are either going to have to make up that revenue or you are going to have to look to other sources." He went on to explain his reasons.

Mayor McClellan thanked Mr. Nugent for appearing and stated she shares some of his concerns...that they both face tough budget years. "I think this year that \$1.2 million revenue loss is going to be very, very tough and even with keeping the automobile tax we are going to have one heck of a time keeping our tax rate where it is...which is certainly the goal I have....."

Councilmember Mullen stated half the people who own automobiles pay the tax, and everybody that lives or rents or even stays here overnight helps pay ad valorem tax. He referred to those who leave their cars registered at where they came from and said the homeowners who have their cars registered here are the same group of people paying the same tax twice.

After further discussion roll call was taken:

Roll Call on Substitute Motion

Roll Call on Substitute Motion to discontinue Ad Valorem Tax on personal automobiles showed the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmember Mullen
Noes: Mayor McClellan, Councilmembers Himmelblau, Goodman
Not in Council Chamber when roll was called: Councilmembers Snell, Trevino

Roll Call on Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 32 OF THE AUSTIN CITY CODE OF 1967; ESTABLISHING A NEW SECTION 32-3.1; PROVIDING FOR THE TAXATION OF ALL AUTOMOBILES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three reading, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan, Councilmember Goodman
Noes: Councilmember Mullen, Mayor Pro Tem Cooke

The Mayor announced that the ordinance had been finally passed.

Councilmember Goodman challenged Councilmember Mullen to a polygraph test at DPS Headquarters and invited the media to attend. Councilmember Mullen agreed.

OVERALL TAX RATE

There was an Item From Council to place on the agenda concerning the impact of tax legislation on Austin's overall tax rate. This was covered in the preceding discussion.

STREET VACATION

Councilmember Trevino stated: "The Council designated Councilmembers Mullen, Snell and myself to be part of the City-County jail committee. This is a request from our colleagues in the County to vacate San Antonio Street between 10th and 11th Streets in order to help them facilitate building their jail. Staff has recommended in favor of this vacation. Mr. Davidson stated this would have to be brought back as an ordinance to vacate, and schedule a public hearing.

SPECIAL TRANSIT FARES FOR
SENIOR CITIZENS

Councilmember Himmelblau introduced an item to Council asking for reduced fare passes on the transit system. She asked for a future report on this. Mr. Davidson asked if the study could include corresponding increases in other fares in order to accomodate the loss generated by decreased fares for senior citizens. Mrs. Himmelblau replied affirmatively.

CONTINGENCY PLAN ON GASOLINE SUPPLIES

Mayor McClellan introduced an item to Council concerning the city-wide contingency plan on gasoline supplies and other energy conservation related matters. She said she has set up several meetings during the next few days to find out what our situation is in Austin. She said a packet will be prepared for Council on up-dated information concerning what is going on at the state level and the results of her conversation. She said she is not yet suggesting anything, but at this point is establishing the lines of communication. Mayor McClellan requested staff to be planning ahead in the event our situation becomes critical. She referred to a memo they have received from the City Manager updating Council on what has voluntarily been done by the city. Mr. Davidson stated: "I distributed two communications, one from the Vehicle Services Administrator, indicating that even though we're having to pay a lot more money for the gasoline we use in city vehicles and equipment that because of the conservation effort I asked all department heads and key personnel to organize in March and we've had a successful effort. As a matter of fact, the month of May our consumption was 1% below the month of April, and ordinarily the month of May in any other year shows an increase because of additional activities. Our people have done a good job of conserving and as a result we've not been put on any kind of a mandatory reduction program by the gasoline supplier.

I've also indicated that today I've appointed a Fuel Conservation Task Force which will be chaired by Mr. Bill Bulloch. On that committee or task force will be the Police Chief, the Director of Public Works, Director of Electric Utility, Director of Water and Wastewater, Director of Parks and Recreation, Director of Building Inspection, Vehicle and Equipment Services, and Director of Urban Transportation. These people will conduct a study for 30-60 days in order to arrive at a contingency plan as to what the City of Austin operations would do if we did get into some kind of a mandatory or forced allocation program that reduced our allocation of fuels. I'm very proud of some of the work that's already been done by some of my staff in this area. This means we will have additional reports coming to city Council in order to advise you of our progress."

Mayor McClellan stated, "Obviously, we underbudgeted on gasoline. I don't think anyone imagined what was happening." Mr. Davidson said he thought the price on gasoline exceeded what anyone thought when preparing the budget, and that we are \$215,000 behind so far, with bad estimates regarding what to expect next year. He said there are predictions gasoline will be \$1.80 a gallon in 10 to 12 months.

STATUS REPORT ON WALLER CREEK PROJECT

Mr. Joe Morahan spoke to the status of land acquisition for Waller Creek. There are 16 parcels of land required for the first phase with five acquired and firm agreements for the acquisition of four more. Two of them have been approved for condemnation, leaving five in active negotiation at this time. He said they hope to conclude negotiations in another 3-4 weeks, and complete acquisition by late August. If they have to go into condemnation it would be October 1 or there about.

Mr. Leonard Ehrler showed a map of the interim Hike and Bike Trail. He said they thought a more in depth study should be made including a flood control program in order to put it into proper perspective.

Mr. Charles Graves said they do not have the final detail of the proposed construction. Part of it is within 25 year flood plain and unless it is well constructed will be subject to intense velocities which will cause loss. He said this has happened in Waterloo Park. Mr. Graves stated that what is proposed in the first phase will in no way reduce the flood prone area, therefore, those who think they can develop private property as a result of this project will be disappointed because city ordinances will still apply in terms of creek ordinances and flood plains, etc.

Mayor Pro Tem Cooke said he is concerned because perhaps this was not highlighted during the bond election in January. Mr. Graves explained they would have to look at the land on a site by site basis.

Mr. Davidson said Hike and Bike Trail could be constructed because we already have hike and bike trails along other creeks that flood. Mayor Pro Tem Cooke said he felt the private sector will not contribute anything until a flood plain plan is put into effect to allow them to develop along the creek.

Mr. Davidson asked how long it will be before the plans can be brought before Council for review. Mr. Ehrler said all they need are the specifications and can probably be brought to Council within the next two weeks.

Mayor Pro Tem Cooke expressed his appreciation for the coordination that is coming together on the plan.

TIME SCHEDULE ON DOWNTOWN REDEVELOPMENT PLAN

Mr. Jim Miller, Assistant City Manager, called Council's attention to the memo he had distributed to them regarding the time schedule on the downtown redevelopment plan. He said it listed, at their request, the possible number of commissions which would be needed to review the plan before the City Council would set a public hearing. The total number is 15. It will take approximately 60 days to get through the list and requested a public hearing be set after August 21.

Mayor Pro Tem Cooke expressed doubt so many committees needed to be consulted with. He said the Urban Renewal Board and Planning Commission could begin their deliberations in July. He asked if there is a time when the concept and any recommendations will be sent to the commissions. Mr. Miller said the plan would be distributed beginning June 27, 1979. He pointed out it is a draft plan and by the time it is reviewed by the boards and commissions it should have fairly good context. Mayor Pro Tem Cooke thought instructions should be given to some boards and commissions to set special work sessions to study the plan rather than leave it to their normal meeting date. Mayor McClellan requested they have a presentation with the Urban Renewal Board and Planning Commission and then call all the other boards considering it together at one time. This way there would be no need to make individual staff presentations to each one, and cut down on time involved. Mr. Davidson thought it was a good idea. Mayor Pro Tem Cooke thought that where feasible, the committee's role should be assigned for review of the plan...e.g. signs for Sign Committee, etc. He stated: "The boards and commissions should look specifically into their own area of responsibility." Council agreed target date for completion of reports is August 21.

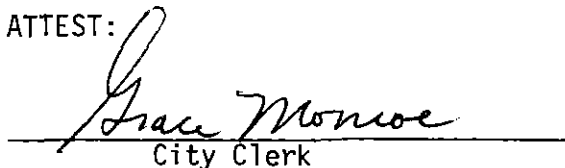
ADJOURNMENT

The Council adjourned its meeting at 12:25 A.M.

APPROVED


Mayor

ATTEST:


City Clerk